IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.6376 OF 2005
IN
FIRST APPEAL NO.713 OF 2005

The State of Maharashtra ...Applicant
vs.
Janardhan Dnyanoba Gaikwad ...Respondent

Ms Geeta Mulekar A.G.P. for State
Mr.Sachin Punde for the Respondent.

CORAM: A.S.OKA,J.
DATE : JANUARY 8,2007.

P.C.:

1. Rule. Advocate for the Respondent waives service. Taken up for hearing forthwith.

2. The impugned Judgment and Award is in the nature of a money decree. Hence, unconditional stay cannot be granted.

3. The execution and operation of the impugned Judgment and Award will remain stayed till the final disposal of the First Appeal subject to condition of the Applicant depositing the entire amount due and payable as per the impugned Award with the Reference Court within a period of twelve weeks from today. If the deposit of entire amount is not made within stipulated period, the interim stay granted will stand forthwith vacated without further reference to the court.

4. If the amount as aforesaid is deposited, the Claimant will be permitted to withdraw the said amount subject to furnishing adequate security for the said amount to the satisfaction of the Reference Court. The Reference Court will hear the Applicant before accepting the security.

5. Civil Application is disposed of in above terms.

JUDGE